

BILL NO. G-70-03-36 (Amended)

GENERAL ORDINANCE NO. G-97-70

AN ORDINANCE amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. PERMITTED USES - SPECIFIED DISTRICTS.  
D. "RA" District and "RB" District - Residence.

"10. Multiple Family or Multiple Group and Facilities - Before an Improvement Location Permit may be issued for a multiple family or multiple group development containing two (2) dwelling units or more, the Commission shall approve a preliminary development plan for the entire tract. The preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the scheduled Commission meeting. A tract is herein defined as the entire land proposed for the apartment project.

Development Plan Requirements - In determining the approval or disapproval of a preliminary development plan and supporting data, the Commission shall be governed by the following:

(A) The development plan shall meet the following location criteria:

(1) The location and size of the development would be compatible with the surrounding area and would not conflict with any components of the Master Plan of the City of Fort Wayne.

(2) The location of the development would provide direct access to a secondary or primary street of sufficient right-of-way and improvement width, or a residential street that meets the minimum requirements of both right-of-way and improvement of a secondary street unless waived by the Plan Commission.

(3) Written approval is received from the agency having jurisdiction that the development would not impose hardships on the following facilities:

- (a) Water
- (b) Sewer
- (c) Streets
- (d) Schools
- (e) Parks & Playgrounds
- (f) Fire Protection
- (g) Storm Water Drainage

- (4) The Commission shall determine which streets shall be dedicated and which passageways are to be private streets or parking lots.
- (5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne or would be detrimental to the growth of existing uses in the surrounding area, the Commission may disapprove said multiple development proposal, providing, however, such approval by the Commission will not be unreasonably withheld.

(B) The preliminary development plan shall meet the following standards and include the following information and supporting data:

- (1) No less than 2,500 square feet of land is devoted to any efficiency, one or two bedroom living unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.
- (2) Living units having three (3) or more bedrooms shall have a minimum of 4,000 square feet of land per unit. In determining density no part of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.
- (3) The minimum off-street parking requirement shall be one and one-half (1-1/2) spaces per unit and must be in an acceptable location to the building served. All parking spaces on public or private streets shall be parallel to the street.
- (4) All dedicated streets shall conform to the minimum requirements of the Subdivision Control Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.
- (5) The maximum building coverage does not exceed thirty (30) percent of the tract, exclusive of streets.
- (6) Recreation or laundry facilities be located in a manner that would serve only the proposed multiple family complex. The use of these facilities by persons living outside this complex would be a violation of this ordinance.
- (7) In a multiple family or multiple group development, no building shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building nor closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would compliment the plan.

- (8) *Date, Scale 1"=50', North Point, Name of Designer or Engineer and name and address of developer or tract.*
- (9) *Accurate boundaries of proposed development and accurate location of abutting streets and structures.*
- (10) *Location, size, use and capacity of all structures existing or to be placed on the tract.*
- (11) *Proposed point of ingress and egress for the planned development with proposed parking areas.*
- (12) *Existing and proposed rights-of-way of existing or proposed streets, roads and highways.*
- (13) *Proposed site screening and landscaping of development. A minimum of forty (40) per cent of all open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.*
- (14) *Proposals for sewers, water, gas, electricity and storm drainage and the necessary easements for these utilities.*
- (15) *Proposals for control of storm water runoff.*
- (16) *A twenty-five (25) dollar application fee must be paid to the Fort Wayne City Controller for the processing of this development plan.*
- (17) *The Commission shall determine the location and type of all additional sidewalks.*

*If the Commission approves the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original tracing, five (5) prints and the following additional information and supporting data:*

1. *Five (5) sets of improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Fort Wayne Board of Public Works Specifications.*
2. *Existing contours at two (2) foot intervals with spot elevations of finished grade and directions of storm water runoff.*
3. *To dedicate the streets and easements within this development plan, the following should be added:*

- (a) Name of Plat.
- (b) Street name assigned to streets to be dedicated and defining of streets or drives to remain private.
- (c) Certification by land surveyor registered by the State of Indiana.
- (d) Lot lines and dimensions.
- (e) Execution and notary by owners of land.
- (f) Instrument of approval for signatures of governing bodies.
- (g) Private restrictive covenants.
- (h) Statement dedicating streets and easements to the City of Fort Wayne."

SECTION 2. Section 16(A) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended with respect to "RA" and "RB" Districts as follows:

District	Minimum Width at Building Line	Minimum Lot Area (Square Feet)	Required Lot Area Per Dwelling Units and		
			1	2	3 or more see Section 14(D), 10
RA	75 Feet	10,000	1	10,000	
			2	7,000	
					3 or more see Section 14(D), 10
RB	60 Feet	7,200	1	7,200	
			2	5,000	
					3 or more see Section 14(D), 10

SECTION 3. Section 16(B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by deleting therefrom Paragraph 5, and changing the present Paragraph 6 thereof to Paragraph 5 and the present Paragraph 7 thereof to Paragraph 6 of said Section 16(B).

SECTION 4. Section 8(B), paragraph 1(a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

"For any dwelling unit - At least one and one-half (1-1/2) parking spaces plus one parking space for each two (2) sleeping rooms rented to persons not members of the family occupying the dwelling unit."

SECTION 5. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

APPROVED AS TO FORM  
AND LEGALITY,  
\_\_\_\_\_  
CITY ATTORNEY

*Jack R. Dunigan*

Read the first time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, read the second time by title and referred to the (Committee on) \_\_\_\_\_ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 8-25-70

Fred G. Bonahoom  
City Clerk

Read the third time in full and on motion by \_\_\_\_\_ seconded by Robinson and duly adopted, placed on its passage.

Passed ~~(lost)~~ by the following vote:

AYES	<u>6</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	<u>3</u>	to-wit:
Adams	<u>✓</u>							
Dunifon	<u>✓</u>							
Fay	<u>✓</u>							
Geake							<u>✓</u>	
Nuckols								
Robinson	<u>✓</u>							
Rousseau								
Steigerwald	<u>✓</u>							
Tipton	<u>✓</u>							

Date 8-25-70

Fred G. Bonahoom  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)(General)(Annexation)(Special)(Appropriation)~~ Ordinance (Resolution) No. 297-70 on the 25<sup>th</sup> day of August, 19670.

ATTEST: (SEAL)

Fred G. Bonahoom  
City Clerk

Herbert G. Lepton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26<sup>th</sup> day of August, 19670 at the hour of 8:30 o'clock A.M., E.S.T.

Fred G. Bonahoom  
City Clerk

Approved and signed by me this 26<sup>th</sup> day of August, 19670, at the hour of 10:34 o'clock A.M., E.S.T.

Harold S. Jeis  
Mayor

Bill No. G-70-03-36

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne,  
Indiana,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance *[Signature]* PASS. *[Signature]*

JACK K. DUNIFON, Chairman

EDWIN J. ROUSSEAU, Vice-Chairman

THOMAS G. ADAMS

WILLIAM K. GEAKE

PITT, A. STEIGERWALD

Jack P. L. Juniper

Thomas H Adams

*John Stegeman*  
CONCURRED IN

DATE 8-25-70 FUAD G. BONAHOOM, CITY CLERK

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 24, 1970, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-70-03-36 Amended; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

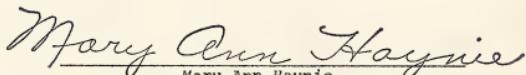
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 18, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Text of the Zoning Ordinance to be amended and the amendment will be in the best interest of and benefit to the City of Fort Wayne;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 15, 1970.

Certified and signed this  
24th day of August 1970.

  
Mary Ann Haynie  
Secretary

BILL NO. G-70-03-36

GENERAL ORDINANCE NO. G-\_\_\_\_\_

AN ORDINANCE amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. PERMITTED USES - SPECIFIED DISTRICTS.  
D. "RA" District and "RB" District - Residence.

"10. Multiple Family or Multiple Group and Facilities - Before an Improvement Location Permit may be issued for a multiple family or multiple group development containing two (2) dwelling units or more, the Commission shall approve a preliminary development plan for the entire tract. ✓  
The preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the scheduled Commission meeting.

*A tract is being developed as  
an entire land project for the Export  
Project*

Development Plan Requirements - In determining the approval or disapproval of a preliminary development plan and supporting data, the Commission shall be governed by the following:

(A) The development plan shall meet the following location criteria:

(1) The location and size of the development would be compatible with the surrounding area and would not conflict with any components of the Master Plan of the City of Fort Wayne.

(2) The location of the development would provide direct access to a secondary or primary street of sufficient right-of-way and improvement width, or a residential street that meets the minimum requirements of both right-of-way and improvement of a secondary street.

(3) Written approval is received from the agency having jurisdiction that the development would not impose hardships on the following facilities:

- (a) Water
- (b) Sewer
- (c) Streets
- (d) Schools
- (e) Parks & Playgrounds
- (f) Fire Protection
- (g) Storm Water Drainage

(4) The Commission shall determine which streets shall be dedicated and which passageways are to be private streets or parking lots.

(5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne or would be detrimental to the growth of existing uses in the surrounding area, the Commission may disapprove said multiple development proposal, *provided however, such approval by the Commission will not be retroactive with respect to*

(B) The preliminary development plan shall meet the following standards and include the following information and supporting data:

- (1) No less than 2,500 square feet of land is devoted to any efficiency, one or two bedroom living unit. In determining dwelling unit density, no part thereof within the limits of the street, as designated by the Commission, shall be included.
- (2) Living units having three (3) or more bedrooms shall have a minimum of 4,000 square feet of land per unit. In determining dwelling unit density, no part thereof within the limits of the street, as designated by the Commission, shall be included.

- (3) The minimum off-street parking requirement shall be one and one-half (1-1/2) spaces per unit and must be in an acceptable location to the building served. All parking spaces on public or private streets shall be parallel to the street.
- (4) All dedicated streets shall conform to the minimum requirements of the Sub-division Control Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.
- (5) The maximum building coverage does not exceed thirty (30) percent of the tract, exclusive of streets.
- (6) Recreation or laundry facilities be located in a manner that would serve only the proposed multiple family complex. The use of these facilities by persons living outside this complex would be a violation of this ordinance.
- (7) In a multiple family or multiple group development, no building shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building nor closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would compliment the plan.
- (8) Date, Scale 1"=50', North Point, Name of Designer or Engineer and name and address of developer or tract.
- (9) Accurate boundaries of proposed development and accurate location of abutting streets and structures.
- (10) Location, size, use and capacity of all structures existing or to be placed on the tract.
- (11) Proposed point of ingress and egress for the planned development with proposed parking areas.

- (12) Existing and proposed rights-of-way of existing or proposed streets, roads and highways.
- (13) Proposed site screening and landscaping of development. A minimum of forty (40) per cent of all open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.
- (14) Proposals for sewers, water, gas, electricity and storm drainage and the necessary easements for these utilities.
- (15) Proposals for control of storm water runoff.
- (16) A twenty-five (25) dollar application fee must be paid to the Fort Wayne City Controller for the processing of this development plan.
- (17) The Commission shall determine the location and type of all additional sidewalks.

If the Commission approves the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original tracing, five (5) prints and the following additional information and supporting data:

1. Five (5) sets of improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Fort Wayne Board of Public Works Specifications.
2. Existing contours at two (2) foot intervals with spot elevations of finished grade and directions of storm water runoff.
3. To dedicate the streets and easements within this development plan, the following should be added:
  - (a) Name of Plat.
  - (b) Street name assigned to streets to be dedicated and defining of streets or drives to remain private.
  - (c) Certification by land surveyor registered by the State of Indiana.

- (d) Lot lines and dimensions.
- (e) Execution and notary by owners of land.
- (f) Instrument of approval for signatures of governing bodies.
- (g) Private restrictive covenants.
- (h) Statement dedicating streets and easements to the City of Fort Wayne."

SECTION 2. Section 16(A) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended with respect to "RA" and "RB" Districts as follows:

<u>District</u>	<u>Minimum Width at Building Line</u>	<u>Minimum Lot Area (Square Feet)</u>	Required Lot Area Per Dwelling Units		
			and	Square Feet	Per Unit
RA	75 Feet	10,000	1	10,000	
			2	7,000	
			3 or more		see Section 14(D), 10
RB	60 Feet	7,200	1	7,200	
			2	5,000	
			3 or more		see Section 14(D), 10

SECTION 3. Section 16(B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by deleting therefrom Paragraph 4, and changing the present Paragraph 5 thereof to Paragraph 4 of said Section 16(B).

SECTION 4. Section 8(B), paragraph 1(a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

"For any dwelling unit - At least one and one-half (1-1/2) parking spaces plus one parking space for each two (2) sleeping rooms rented to persons not members of the family occupying the dwelling unit."

SECTION

SECTION 5. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

*Jack R. Dunigan*

APPROVED AS TO FORM  
AND LEGALITY.

*J. R. Dunigan*  
CITY ATTORNEY

Read the first time in full and on motion by Dunifon seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 196\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 3-24-70

Freud H. Bonahoom  
City Clerk

Read the third time in full and on motion by \_\_\_\_\_ seconded by \_\_\_\_\_ and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES	NAYS	ABSTAINED	ABSENT	to-wit:
Adams	_____	_____	_____	_____
Dunifon	_____	_____	_____	_____
Fay	_____	_____	_____	_____
Geake	_____	_____	_____	_____
Nuckols	_____	_____	_____	_____
Robinson	_____	_____	_____	_____
Rousseau	_____	_____	_____	_____
Steigerwald	_____	_____	_____	_____
Tipton	_____	_____	_____	_____

Date \_\_\_\_\_  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(Zoning-Map)(General)(Annexation)(Special)(Appropriation) Ordinance (Resolution) No. 9  
on the \_\_\_\_\_ day of \_\_\_\_\_, 196 70.

ATTEST: (SEAL)

\_\_\_\_\_  
City Clerk \_\_\_\_\_  
Presiding Officer \_\_\_\_\_

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 196 70 at the hour of 8:30 o'clock A.M., E.S.T.

\_\_\_\_\_  
City Clerk

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 196\_\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
Mayor

September 11, 1970

Legal Notices

Legal Notices

Notice is hereby given that on the 25th day of August, 1970, the Common Council of the City of Fort Wayne, Indiana, at a Regular Session, did pass the following General Ordinance, to-wit:

BILL NO. C-70-20 (Amended)

GENERAL ORDINANCE NO. G-97-70

AN ORDINANCE amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

BILL ORGANIZED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. G-97-70, is hereby amended, as follows:

Section 14. SPECIFIED USES —

10. Multiple Family or Multiple Group Facilities.

Bill or Improvement Location Permit

may be issued for a multiple family or multiple group facility containing not more than (2) dwelling units or more, the Commission shall approve a preliminary development plan in the event that the preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the date of the next regular meeting. A tract is herein defined as the entire land proposed for the apartment project.

Development Plan Requirements. In

determining the issuance or disapproval of a preliminary development plan and supporting data, the Commission shall be governed by the following:

(A) The location plan shall meet the following location criteria:

(1) The location and size of the development plan is compatible with the surrounding area and would not conflict with any components of the Master Plan of the City of Fort Wayne.

(2) The location of the development would be situated in a secondary or primary street of sufficient right-of-way

and improvement width, or a residential street, and would not interfere with elements of both right-of-way and improvement of a secondary street unless waived by the Commission.

(3) Written approval is received from the agency having jurisdiction that the development plan will not impose hardships on the following facilities:

(a) Water

(b) Sewer

(c) Streets

(d) Sidewalks

(e) Parks and Playgrounds

(f) Fire Protection

(g) Storm Water Drainage

(4) The Commission shall determine which streets shall be dedicated and which property owners shall be responsible for parking lots.

(5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne, Indiana, or would be contrary to the growth of existing uses in the surrounding area, the Commission may disapprove the multiple family or multiple group development; however, such approval by the Commission will not be unreasoned.

(6) The preliminary development plan shall meet the following standards and include the following information and supporting data:

(1) No less than 2,500 square feet of land is required for each dwelling unit, (1) one bedroom living unit. In determining density no part of any existing street right-of-way or proposed right-of-way or proposed street shall be included.

(2) Living units having three (3) or more bedrooms shall have a minimum 4,000 square feet of land per unit. In determining density no part of any existing street right-of-way or proposed right-of-way or proposed street shall be included.

(3) The minimum off-street parking requirement shall be one (1) parking space per dwelling unit. In determining density no part of any existing street right-of-way or proposed right-of-way or proposed street shall be included.

(4) All dedicated streets shall conform to the requirements of the Indiana Uniform Vision Control Ordinance of the City of Fort Wayne and provide alignment with existing streets and property lines.

(5) The maximum building coverage does not exceed thirty (30) percent of the tract, except as provided in Paragraph 10.

(6) Recreation or laundry facilities be located in a manner that would not conflict with the Master Plan for the City of Fort Wayne, Indiana.

(7) The use of these facilities by persons living outside this complex would be subject to the restrictions of the Master Plan.

(8) The Plan Commission may waive front, side or rear yard requirements if such waiver would compliment the plan.

(9) Date, Scale 1"=50', North Point, Name, address, telephone number and name and address of developer or tract.

(10) Location, size, use and capacity of all structures existing or to be placed on the tract.

(11) Proposed point of ingress and egress for the planned development with proposed parking areas.

(12) Existing and proposed rights-of-way

of existing or proposed streets, roads and highways.

(13) Proposed site screening and landscaping of development. A minimum of twenty-five (25) percent of open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.

(14) Proposals for sewers, water, gas, electricity and storm drainage and utility proposals for control of storm water runoff.

(15) Proposals for control of storm water runoff.

(16) The Commission shall determine the location and type of all additional sidewalks.

(17) The Commission shall approve the preliminary development plan and the development plan shall be submitted to the Commission twenty-one (21) days prior to the next regular meeting of the Commission and drawn in compliance with the Fort Wayne Board of Public Works Specifications.

(18) Each plan shall have two (2) spot intervals with spot elevations of finished grade and directions of storm water runoff.

(19) To dedicate the streets and easements within the development plan, the following shall be added:

(a) Name of Plan

(b) Name and number assigned to streets to be dedicated and defining of streets or drives to remain private

(c) Surveyor registered by the State of Indiana.

(d) Lot lines and dimensions.

(e) Owners and notary by owners of land.

(f) Instrument of approval for signature of governing bodies.

(g) Private restrictive covenants.

(h) Statement dedicating street and easements to the City of Fort Wayne.

SECTION 2. Section 16 (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2934 and subsequently amended, hereto is hereby amended with respect to "RA" and "RB" Districts as follows:

District RA, Minimum Width of Building Line, 73 feet, Minimum Lot Area (Square Feet), 10,000, Required Lot Area Per Dwelling Units and Sign for Per Unit, 10,000, 7,000, 5 or more see Section 14(D), 10.

District RB, Minimum Width of Building Line, 73 feet, Minimum Lot Area (Square Feet), 7,200, Required Lot Area Per Dwelling Units and Sign for Per Unit, 7,000, 5,000, 3 or more see Section 14(D), 10.

SECTION 3. Section 16 (B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2934 and subsequently amended, is hereby amended by deleting therefrom Paragraph 5, and changing the present Paragraph 6 of said Section 16 (B) to read as follows:

SECTION 4. Section 8 (B), paragraph (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2934 and subsequently amended, is hereby amended to read as follows:

"For any dwelling unit — At least one and one-half (1½) parking spaces for one dwelling unit, for each two (2) sleeping rooms rented to persons not members of the family occupying the dwelling unit."

SECTION 5. This Ordinance shall become effective upon its passage and may be repealed by the Common Council.

SECTION 6. This Ordinance is passed by the Common Council of the City of Fort Wayne, Indiana, on the 26th day of August, 1970 at the hour of 8:30 A.M.

FUAD G. BONAHOOM, City Clerk.

HERBERT G. PTON, Preceding Officer.

Approved and signed by me on the 25th day of August, 1970 at the hour of 10:34 o'clock A.M. E.D.T.

JOHN R. DUNIFON, Mayor.

I, Fuad G. Bonahoom, City Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above copy of this Ordinance is a true and complete copy of General Ordinance No. G-97-70, passed by the Common Council of the City of Fort Wayne, Indiana, and that said Ordinance was duly signed, and approved by the Mayor on the 26th day of August, 1970 at the hour of 10:34 o'clock A.M. E.D.T.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of August, 1970.

FUAD G. BONAHOOM, City Clerk.

*Amelia De Told*

CLERK

Title

FEIDAVIT

for me, a notary public in and for said county and state, the ARVILLA DEWALD who, being duly sworn, says

CLERK

of the

L-GAZETTE

newspaper of general circulation printed and published in the city of FORT WAYNE, INDIANA said, and that the printed matter attached hereto is a true copy, d in said paper for 2 time s, the dates of publication being

September 3, 1970

September 10, 1970

*Amelia De Told*  
before me this 11th day of September 1970  
Edith Stapleton  
Notary Public

March 8, 1974



Notice is hereby given that on the 25th day of August, 1970, the Common Council of Fort Wayne, Indiana, in a Regular Session, did adopt the following General ordinance, to-wit:

BILL NO. G-70-03-36 (Amended)

GENERAL ORDINANCE NO. G-27-79

AN ORDINANCE amending Sections 14, 16 and 8 of the Zoning Ordinance of the City of Fort Wayne, Indiana.

BE IT ORDAINED: THE COMMON

COUNCIL OF THE CITY OF FORT

WAYNE, INDIANA:

Section 14 of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by adding thereto the following:

Section 14. PERMITTED USES —

SPATIALLY ZONED "RA" District and "RB" District \$

Residence.

100% Multiple Family or Multiple Group

and Facilities.

Before an improvement application for a multiple family or multiple group development containing two (2) dwelling units or more, the Commission shall approve a preliminary development plan for the entire tract. The preliminary development plan must be submitted to the Commission at least twenty-one (21) days prior to the date of the Commission meeting. A tract is herein defined as the entire land proposed for the apartment project.

Development Plan Requirements — In determining the approval or disapproval of a preliminary development plan and subsequent development, the Commission shall be governed by the following:

(A) The development plan shall meet the following requirements:

(1) The location and size of the development would be compatible with the surrounding area and would not conflict with the components of the Master Plan of the City of Fort Wayne.

(2) The location of the development would provide access to a secondary or primary street of sufficient right-of-way and improvement width, or a residential street, which would meet minimum requirements of both right-of-way and improvement of a secondary street unless waived by the Commission.

(3) Written approval is received from the agency having jurisdiction that the development would not impose hardships on the following facilities:

(a) Water  
(b) Sewer  
(c) Streets  
(d) Schools  
(e) Parks and Playgrounds  
(f) Parks  
(g) Storm Water Drainage

(4) The Commission shall determine which streets shall be dedicated and which passenger access is to be on private streets or parking lots.

(5) If the Commission is of the opinion that the location of the multiple family or multiple group development would conflict with the Master Plan for the City of Fort Wayne, Indiana, or would not meet the growth of existing uses in the surrounding area, the Commission may disapprove said multiple development proposal, provided, however, that if approved, the Commission will not be unreasonably withheld.

(B) The preliminary development plan shall contain the following requirements and include the following information and supporting data:

(1) All land less than 2,600 square feet of land is devoted to any efficiency, one or two bedroom living unit. In determining density requirements, existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.

(2) Living units having three (3) or more bedrooms shall have a minimum 4,000 square feet of land per unit. In determining density requirements, any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan shall be included.

(3) The minimum off-street parking requirement shall be one and one-half (1½) spaces per unit and must be in an occupied location or public or private area. All parking spaces on public or private streets shall be parallel to the street.

(4) Proposed site screening shall conform to the minimum requirements of the Subdivision Control Ordinance of the City of Fort Wayne and provide alignment with existing developed sites.

(5) The maximum building coverage does not exceed thirty (3) percent of the tract, exclusive of streets.

(6) Recreation or laundry facilities be located in a manner that would serve only the proposed multiple family complex and not other facilities by persons living outside this complex would be a violation of this ordinance.

(7) In a multiple family or multiple group development, all structures shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building, not closer than thirty (30) feet in the case of a two-story building. The Plan Commission may waive front, side or rear yard requirements if such waiver would not conflict with the:

(8) Date, Scale 1"=50', North Point, Name or Designation, Engineer or name and address of developer of tract.

(9) Accurate boundaries of proposed development and accurate location of abutting property structures.

(10) Location, size and capacity of all structures existing or to be placed on the tract.

(11) Proposed point of ingress and egress for the planned development with proposed parking areas.

(12) Existing and any proposed rights-of-way of existing or proposed streets, roads and highways.

(13) Proposed site screening, landscaping of development, a minimum of forty (40) per cent of all open space, excepting of streets, shall be devoted to landscaping unless waived by the Commission.

(14) Proposals for sewer, water, gas, electricity and storm drainage and the necessary easements for these utilities.

(15) Proposals for control of storm water runoff.

(16) A twenty-five (25) dollar application fee must be paid to the Fort Wayne City Controller for the processing of this development plan.

(17) The Commission shall determine the location and type of all additional signs.

If the Commission approved the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original, tracing, five (5) prints and the following additional information and supporting data:

1. Five (5) sets of Improvement plans to be submitted to the Street Engineer, Water Engineer and Sewer Engineer and drawn in compliance with the Fort Wayne Building and Public Works Specifications.

2. Existing contours, two foot intervals with spot elevations of finished grade and directions of storm water runoff.

3. To dedicate the streets and easements within this development plan, the following shall be added:

(a) Name of Plan  
(b) Street name assigned to streets to be dedicated and dedicating of streets or drives to be remitted private.

(c) Certification by land surveyor registered by the State of Indiana.

(d) Lot line and area.

(e) Execution and notary by owners of land.

(f) Instrument of approval for signatures of governing bodies.

(g) Private restrictive covenants.

(h) Instruments dedicating streets and easements to the City of Fort Wayne.

SECTION 2. Section 14 (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended with respect to "RA" and "RB" Districts as follows:

District RA. Minimum Width of Building Line, 75' Feet. Minimum Lot Area (Square Feet), 10,000. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 10,000; 2, 7,000; 3 or more see Schedule "A". 10' feet.

District RB. Minimum Width of Building Line, 60' Feet. Minimum Lot Area (Square Feet), 7,200. Required Lot Area Per Dwelling Units and Square Feet Per Unit, 1, 7,200; 2, 5,400; 3 or more see Schedule "B". 10' feet.

SECTION 3. Section 14 (B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended by

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman, who, being duly sworn, says

that she is Clerk of the NEWS-SENTINEL

DAILY

newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

September 3, 1970

September 10, 1970

A. M. Hostman  
Edith Stapleton  
Notary Public

My commission expires March 8, 1974



Subscribed and sworn to before me this 11th day of September 1970

March 8, 1974

with the Master Plan for the City of Fort Wayne or would be detrimental to the growth and development of the surrounding area, the Commission may disapprove said multiple development proposal, provided, however, that disapproval by the Commission will not be unreasonably withheld.

(B) The preliminary development plan shall meet the following standards and include the following information and supporting data:

(1) No less than 2,500 square feet of land is devoted to any dwelling, one or two bedroom living unit, in a density not to exceed one dwelling unit per 2,500 square feet of any existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan which shall be included.

(2) Living units having three (3) or more bedrooms shall have a minimum 4000 square feet of land per unit, determined by the distance from the center of the existing street right-of-way or proposed right-of-way as shown in the Thoroughfare Plan which shall be included.

(3) The minimum off-street parking requirement shall be one parking space per unit and must be in an acceptable location to the building served. All off-street parking areas and private streets shall be parallel to the street.

(4) All dedicated streets shall conform to the minimum requirements of the Street Vision Control Ordinance of the City of Fort Wayne and provide alignment with existing dedicated streets.

(5) The maximum building coverage does not exceed twenty (20) percent of the tract, exclusive of streets.

(6) Recreation or laundry facilities be located in an area that would have only the proposed multiple dwelling complex. The use of these facilities by persons outside the complex by persons outside the complex would be a violation of this ordinance.

(7) In a multiple family or multiple group dwelling unit no dwelling shall be closer than twenty-five (25) feet to an adjacent property line in the case of a one-story building or thirty (30) feet in the case of a two-story building. The Plan Commission may waive frontage requirements if such waiver would compliment the plan.

(8) Name, Scale, "000", North Point, Name, Description or Elevation and name and address of developer or tract.

(9) A map showing proposed development and accurate location of abutting streets and structures.

(10) A description and capacity of all structures existing or to be placed on the property.

(11) Proposed point of ingress and egress for the planned development with proposed driveway locations.

(12) Existing and proposed rights-of-way of existing or proposed streets, roads and highways.

(13) Proposed site screening and landscaping of development. A minimum of forty (40) per cent of open space, exclusive of streets, shall be devoted to landscaping, unless waived by the Commission.

(14) Proposals for sewers, water, gas, electric and storm water lines and the necessary easements for these utilities.

(15) Proposals for control of storm water runoff.

(16) A twenty-five (25) dollar application fee to be paid to the Fort Wayne City Controllers for the processing of the development plan.

(17) The Commission shall determine the location and type of all additional sidewalks.

If the Commission approved the preliminary development plan, the final development plan shall be submitted to the Commission twenty-one (21) days prior to their scheduled meeting and include the original plan plus five (5) percent of the following additional information and supporting data:

1. One (1) set of improvement plans to be distributed to the Street Engineer, Water Engineer and Sewer Engineer and drawn to the standards of the Fort Wayne Board of Public Works Specifications.

2. One (1) set of site plan showing intervals with spot elevations, finished grade and directions of storm water runoff.

3. To dedicate the streets and easements in the development plan the following should be done:

(a) Name of Plot  
Plot numbers assigned to streets to be dedicated and defining of streets or drives to remain private.

(b) Name of plot and surveyor registered by the State of Indiana.

(c) List of lines and dimensions.

(d) Existing property by owners of land.

(e) Instrument of approval for signatures of governing bodies.

(f) Private restrictive covenants.

(g) Deeds, plats, maps, plats and easements to the City of Fort Wayne."

SECTION 2. Section 16 (a) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, hereby amended by deleting therefrom Paragraph 6 thereof, changing the present Paragraph 6 thereof to Paragraph 7, and presenting Paragraph 7 thereof to Paragraph 6 of said Section 16 (a).

SECTION 3. Section 16 (B) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, hereby amended by deleting therefrom Paragraph 6 thereof, changing the present Paragraph 6 thereof to Paragraph 7, and presenting Paragraph 7 thereof to Paragraph 6 of said Section 16 (B).

SECTION 4. Section 8 (B), paragraph (c) of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and subsequent amendments, is hereby amended to read as follows:

"For any dwelling unit with at least one and one-half (1½) parking spaces plus one (1) additional space for each two (2) sleeping rooms rented to persons not members of the family occupying the dwelling unit."

SECTION 5. This Ordinance shall become effective when approved by the Mayor and publication as required by law.

JACK K. DUNIFON, Councilman  
Read the third time in full and on motion of Dunifon seconded by Robinson and duly adopted by the Council on its passage.

Passed by the following vote:  
Ayes—Dunifon, Fay, Robinson, Steigerwald, Tipton.  
Noes—None.

Absent—Three, to-wit: Councilmen Geoka, Nuckols and Rousseau.

FAUD G. BONAHOOM, City Clerk.  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-97-70 on the 26th day of August, 1970.

ATTEST: FAUD G. BONAHOOM, City Clerk.

HERBERT A. DUNIFON, Councilman  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of August, 1970, at the hour of 10:30 o'clock A.M., E.D.T.

FAUD G. BONAHOOM, City Clerk.  
Approved and signed by me this 26th day of August, 1970, at the hour of 10:34 o'clock A.M., E.D.T.

PAUL G. BONAHOOOM, Clerk of the City of Fort Wayne, Indiana, hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-97-70, passed by the Common Council on the 25th day of August, 1970, and approved by the Mayor on the 26th day of August, 1970, and now remains on file in the office of the Clerk.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of August, 1970.

FAUD G. BONAHOOM, City Clerk.

Common Council-City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	—
Body	number of lines	<u>275</u>
Tail	number of lines	<u>1</u>
Total number of lines in notice		<u>276</u>

## COMPUTATION OF CHARGES

276 lines, ..... columns wide equals..... equivalent lines at .288¢ ..... 79.49  
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Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

**TOTAL AMOUNT OF CLAIM** 79.49 \$

## DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*A. M. Hostman*

Title.....Clerk.....

Date September 11, 1970

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time<sup>s</sup>, the dates of publication being as follows:

September 3, 1970

September 10, 1970

Subscribed and sworn to before me this 11th day of September 1970

*A. M. Hostman*  
*Edith Stapleton*

Notary Public

My commission expires March 8, 1974



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